

Law Offices of Stephen Abraham

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Attorney for Defendants Danny B. Luong; Diana Wong

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Scott Johnson,

Plaintiff,

v.

Danny B. Luong, in individual and
representative capacity as trustee of The
Luong/Wong Family Revocable Trust
Of August 21, 1999; **Diana Wong**, in
individual and representative capacity as
trustee of The Luong/Wong Family
Revocable Trust Of August 21, 1999;
and Does 1-10,

Defendants.

Case No. 8:19-cv-00111-JLS-DFM

**DECLARATION OF CRAIG
LOBNOW IN SUPPORT OF
DEFENDANTS' MOTION TO (A)
DISMISS FEDERAL CLAIM
PURSUANT TO FRCP 12(b)(1);
AND (B) TO DISMISS STATE
CLAIMS PURSUANT TO FRCP
12(b)(1), 12(h)(3), and 28 USC
§1367(c)**

Honorable Yvonne Gonzalez Rogers

Oakland Courthouse
Courtroom 1 – 4th Floor
1301 Clay Street
Oakland, CA 94612

Date: Tuesday, March 31, 2020

Time: 2:00 p.m.

DECLARATION OF CRAIG LOBNOW

I, Craig Lobnow, declare:

1. All the statements contained herein are made and based on my
personal knowledge and if called as a witness I could and would testify
competently thereto.

2. I am a California state Certified Access Specialist (CASP #634), the

1 principal consultant for ProCAsp, and have over 25 years of construction
2 management and inspection experience.

3 3. I am familiar with Plaintiff's claims in the above captioned matter and
4 have reviewed the Second Amended Complaint filed in the action.

5 4. I conducted an inspection of the property identified as ABC Printing -
6 1090 S. Milpitas Blvd., Milpitas, CA 95035 on January 20, 2020 and prepared a
7 report on that same date, excerpts of which are submitted with this declaration as
8 **Exhibit 1.**

9 5. With respect to the parking space and access aisle, my conclusions
10 based on measurements I personally took were:

- 11 a. The striping and markings for the accessible parking stall,
12 loading/unloading access aisle are dilapidated and in need of repair
13 and/or maintenance.
14 b. The slope of the parking space and access aisle were found to be in
15 compliance.

16
17 I declare under penalty of perjury under the laws of the United States of
18 America that the foregoing is true and correct and that this declaration is executed
19 on February 10, 2020 at Murrieta, California.

20 Craig A. Lobnow
21 Craig A. Lobnow (Feb 10, 2020)

22 Craig Lobnow
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is: 1592 Pegasus Street, Newport Beach, California 92660.

On February 10, 2020, I served the foregoing document described as:
DECLARATION OF CRAIG LOBNOW IN SUPPORT OF DEFENDANTS' MOTION TO (A) DISMISS FEDERAL CLAIM PURSUANT TO FRCP 12(b)(1); AND (B) TO DISMISS STATE CLAIMS PURSUANT TO FRCP 12(b)(1), 12(h)(3), and 28 USC §1367(c) thereon on all interested parties in this action as follows:

CENTER FOR DISABILITY ACCESS Representing Plaintiff
Amanda Seabock, Esq., SBN 289900
Chris Carson, Esq., SBN 280048
Dennis Price, Esq., SBN 279082
Mail: 8033 Linda Vista Road, Suite 200
San Diego, CA 92111
(858) 375-7385; (888) 422-5191 fax
amandas@potterhandy.com

☒ **e-Filing pursuant to Court order**

Executed on February 10, 2020, at Newport Beach, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ Stephen E. Abraham
Stephen E. Abraham